

PROB 12C
(7/93)

Report Date: July 16, 2014

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Justin Wade Roberson

Case Number: 2:13CR00041-JLQ-1

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge

Date of Original Sentence: September 26, 2013

Original Offense: Theft of Firearms from Federal Firearms Licensee, 18 U.S.C. §§ 922(u), 924(i)(1), and 2

Original Sentence: Probation - 60 months

Type of Supervision: Probation

Asst. U.S. Attorney: Earl A. Hicks

Date Supervision Commenced: September 26, 2013

Defense Attorney: John Barto McEntire, IV

Date Supervision Expires: September 25, 2018

PETITIONING THE COURT

To issue a summons.

The probation officer believes the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

Mandatory Condition # 2: The defendant shall not commit another federal, state, or local crime.

Supporting Evidence: On June 27, 2014, Mr. Roberson was arrested for violation of a no-contact order by the Spokane County Sheriff's Office. On or about July 2, 2014, an information was filed in Spokane County Superior Court charging Mr. Roberson with violation of a no-contact order, a class C felony. Mr. Roberson is scheduled to appear in Spokane County Superior Court for trial on September 29, 2014.

Available records indicate on March 13, 2014, a no-contact order (NCO) was lodged against Mr. Roberson prohibiting him from contacting Mandi Cushen. The aforementioned NCO is scheduled to expire on March 13, 2015.

On April 1, 2014, at approximately 2:00 a.m., Ms. Cushen allegedly began receiving text messages and telephone calls from Mr. Roberson. Despite Ms. Cushen telling Mr. Roberson to stop, he allegedly continued to send text messages to her for several hours. During that time, Mr. Roberson attempted to call Ms. Cushen four times and sent her approximately 30 text messages.

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- 2 **Standard Condition # 11:** The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: On June 11, 2014, Mr. Roberson was cited for third degree driving while license suspended; speeding; and operating a motor vehicle without insurance. Mr. Roberson failed to report this law enforcement contact until June 26, 2014, after being confronted by this officer about these citations. It should be noted, the aforementioned third degree driving while license suspended charge was dismissed on June 19, 2014.

- 3 **Special Condition #20:** You shall undergo a substance abuse evaluation, and if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On May 12, 2014, Mr. Roberson participated in a substance abuse evaluation at Alcohol Drug Education Prevention and Treatment, Inc. (ADEPT). As a result of this evaluation, Mr. Roberson was recommended to participate in intensive outpatient substance abuse treatment (IOP).

On May 22, 2014, Mr. Roberson completed an intake at ADEPT and was scheduled to begin IOP on June 2, 2014. Mr. Roberson failed to begin IOP on June 2, 2014. As of the submission of this violation report, Mr. Roberson has failed to enter into the recommended substance abuse treatment program.

- 4 **Special Condition #21:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued absence from these substances.

Supporting Evidence: Mr. Roberson failed to report for random drug testing at Alcohol Drug Education Prevention and Treatment, Inc. (ADEPT) on June 18 and 23, 2014.

On July 14, 2014, Mr. Roberson provided a urinalysis sample for the purposes of drug testing at the U.S. Probation Office that tested presumptively positive for marijuana. Mr. Roberson admitted to smoking marijuana on or about June 18, 2014. Subsequently, he signed a substance abuse admission form admitting to his use of marijuana

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The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: s/Erik Carlson

July 16, 2014

Erik Carlson
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

July 16, 2014
Date